

AMENDED IN ASSEMBLY APRIL 26, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1118

Introduced by Assembly Member John A. Pérez

February 18, 2011

An act to add ~~Section~~ *Sections 33542 and 51882* to the Education Code, relating to pupil instruction.

LEGISLATIVE COUNSEL’S DIGEST

AB 1118, as amended, John A. Pérez. Pupil instruction: health education: organ and tissue donation.

(1) Existing law requires the Curriculum Development and Supplemental Materials Commission to recommend curriculum frameworks for adoption by the State Board of Education in accordance with regulations. Existing law defines “curriculum framework” as an outline of the components of a given course of study designed to provide state direction to school districts in the provision of instructional programs.

This bill would require the commission and the state board to ensure that the health framework adopted in the course of the next submission cycle, as specified, includes the subject of organ procurement and tissue donation in the instruction to be provided to pupils in grades 9 and 10.

~~(1)~~

(2) The Comprehensive Health Education Act of 1977 requires the State Department of Education to prepare and distribute to school districts guidelines for the preparation of comprehensive health education plans, and, in cooperation with county offices of education that desire to participate, to assist school districts in developing comprehensive health education plans and programs.

This bill, *commencing with the 2012–13 school year*, would require school districts to ~~offer~~ *provide* pupils who are enrolled in health classes during grade 9 or 10 at least 15 minutes of instruction on organ procurement and tissue donation designed to develop a knowledge of the potentially lifesaving results achieved through organ and tissue transplantation. By requiring school districts to provide organ procurement and tissue donation instruction, this bill would impose a state-mandated local program.

(2)

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) There are more than 100,000 people on the national organ
4 transplant waiting list, and more than 21,000, or 21 percent, of
5 those people live in California.

6 (b) Currently only 18 percent of California drivers are designated
7 as organ or tissue donors.

8 (c) Californians who apply for a California driver's license are
9 asked whether or not they would like to donate their organs and
10 tissue. It is important that, if we are asking that question, we are
11 allowing the individual to make an informed decision.

12 (d) There is an urgent need to educate the public about organ
13 and tissue donation.

14 SEC. 2. *Section 33542 is added to the Education Code, to read:*
15 *33542. The commission and the state board shall ensure that*
16 *the health framework adopted in the course of the next submission*
17 *cycle following the date that this section becomes effective includes*
18 *the subject of organ procurement and tissue donation in the*
19 *instruction to be provided to pupils in grades 9 and 10.*

1 ~~SEC. 2.~~

2 SEC. 3. Section 51882 is added to the Education Code, to read:
3 51882. ~~A~~*Commencing with the 2012–13 school year, a school*
4 district shall ~~offer~~ *provide* pupils who are enrolled in health classes
5 during grade 9 or 10 at least 15 minutes of instruction on organ
6 procurement and tissue donation designed to develop a knowledge
7 of the potentially lifesaving results achieved through organ and
8 tissue transplantation.

9 ~~SEC. 3.~~

10 SEC. 4. If the Commission on State Mandates determines that
11 this act contains costs mandated by the state, reimbursement to
12 local agencies and school districts for those costs shall be made
13 pursuant to Part 7 (commencing with Section 17500) of Division
14 4 of Title 2 of the Government Code.